IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 17487 of 2007(F)

PETITIONER:

RENCHU R., W/O.P. SURESH,
MAMKOOTTATHIL HOUSE, MEZHUVELI, PATHANAMTHITTA
(HIGH SCHOOL ASSISTANT (MATHS) (RETRENCHED),
PADMANABHODAYAM HIGHER SECONDARY SCHOOL,
MEZHUVELI, PATHANAMTHITTA).

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
CHAVAKKAD.

4. THE CORPORATE MANAGER,
SN TRUST SCHOOLS, KOLLAM.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 17487 of 2007

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Dated this the 7th day of June, 2007.

J U D G M E N T

The limited prayer in this Writ Petition which is at the instance of a retrenched High School Assistant (Mathematics) is to issue an appropriate direction to respondent No.2 to take a decision on Ext.P4 revision petition preferred by her.

2. In view of the above limited prayer, I do not deem it necessary to refer to the various contentions raised by the petitioner in the Writ Petition. However the primary grievance of the petitioner appears to be that she had been retrenched without any legal or valid reasons with effect from 28/6/2006. Anyhow, this is a matter to be decided by the revisional authority in accordance with law. It is pointed out by the learned counsel that the same authority (respondent No.2) has been directed to take a decision on the question whether the management had made appointments of fresh hands/juniors in violation of the statutory provisions, as is discernible from Ext.P2 judgment.

3. Having heard learned counsel for the petitioner and the learned Government Pleader I am satisfied that the writ petition can be disposed of with the following directions.

4. Respondent No.2 shall take a decision on Ext.P4 strictly on its merit and accordance with law, as expeditiously as possible, at any rate within 3 months from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that petitioner, manager of the school and all others who are likely to be affected by the order to be passed, are afforded sufficient opportunity to be heard before any decision is taken.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance.

A.K. Basheer
Judge.

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